

CRM No.520 of 2021

22.02.21 In re: An application for bail under Section 439 of the Code of Criminal
(S.R.) Procedure filed in connection with **Taherpur** Police Station Case
Sl.49 **No.131 of 2020** dated **03.09.2020** under Sections **417/376** of the
Ct.28 Indian Penal Code and Section **6** of POCSO Act;

And

In re: Sri Newton Roy

... petitioner.

Ms. Sananda Bhattacharyya

... for the petitioner.

Mr. Tanmoy Kr. Ghosh

Mr. Arindam Sen

...for the State.

The learned advocate for the petitioner submits that the petitioner is in custody since 4th September, 2020 and the investigation of the case has already been completed. Learned advocate further submits that considering the age of the victim and the petitioner which are approximately close to each other, the relationship amongst them cannot be ruled out. As such, on any condition, the petitioner prays for bail.

The learned advocate for the State produces the case diary and draws the attention of this Court to the statement of the victim under Section 164 of the Criminal Procedure Code as well as the medical report which is part of the case diary.

Having heard the learned advocates and considering the materials in the case diary, the 164 statement of the victim, the medical report, the nature, gravity and the complicity of the present petitioner in the alleged offence, we are not inclined to release the petitioner on bail at this stage.

Accordingly, the application for bail being CRM No.520 of 2021, is, thus, rejected.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)

(Tapabrata Chakraborty, J.)